

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

---

No. 15-1058

September Term, 2015

FCC-DA14-1029

Filed On: September 23, 2015

In re: PMCM TV, LLC,

Petitioner

**BEFORE:** Henderson, Rogers, and Pillard, Circuit Judges

**ORDER**

Upon consideration of the petition for writ of mandamus, the responses thereto, and the reply; the motion for leave to intervene, the opposition thereto, and the reply; and the motion to expedite a ruling on the motion for leave to intervene, it is

**ORDERED** that the motion for leave to intervene be granted. The Clerk is directed to file the lodged document. It is

**FURTHER ORDERED** that the motion expedite a ruling on the motion for leave to intervene be dismissed as moot. It is

**FURTHER ORDERED** that the mandamus petition be dismissed as moot to the extent petitioner seeks an immediate ruling on its application for review of the Media Bureau's July 25, 2014 letter deferring implementation of petitioner's must-carry request and channel position election until after a decision on the appropriate virtual channel for petitioner's station. In light of the Media Bureau's June 5, 2015 decision assigning a virtual channel to petitioner's station, action on the application for review is no longer needed. It is

**FURTHER ORDERED** that the mandamus petition be denied to the extent petitioner seeks a writ of mandamus compelling the Commission to order that petitioner's station be carried on Channel 3 on all cable systems as to which petitioner has elected must-carry status. Petitioner has not demonstrated a "clear and indisputable right" to such relief. *Cheney v. U.S. District Court*, 542 U.S. 367, 380-81 (2004) (internal quotation marks omitted).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published.

**Per Curiam**